



U.S. Department of Justice

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(via cm/ecf)
Hon. James K. Bredar
United States District Court
101 W. Lombard Street
Baltimore, Maryland 21201

**Re: United States v. Elfenbein, Case No. 1:22-cr-00146
Request for Hearing, ECF No. 93**

Dear Judge Bredar,

I am writing in response to the Defendant's letter, ECF No. 93, seeking a hearing on his Motion for Judgment of Acquittal or in the Alternative for a New Trial. A hearing is not necessary. Your Honor ruled on the Defendant's previous Rule 29 motions twice, and the new trial motion largely asks the Court to reconsider evidentiary rulings it has already made. Your Honor presided over the trial and witnessed all of the testimony. In addition to the three-week trial, the parties supplied more than 100 pages of briefing and nearly 100 exhibits related to the motion. The Government believes that the motion can be resolved without a hearing. If the Court would like to have a hearing on the motion, then the Government requests that the Court allot additional time on the day of sentencing so that the parties do not need to have two hearings.

Very truly yours,

Erek L. Barron
United States Attorney

_____/s/
Matthew P. Phelps
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D. Keith Clouser
Trial Attorney